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EXAMINER

ALAM, UZMA

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,329

Applicant(s)

PARKER ET AL.

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the amendment filed on August 5, 2004. Claims 1-37 are pending. Claims 1-37 represent a method of monitoring events.

Response to Arguments

Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1, 15, and 19 it is unclear which system is generating and escalating the notification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-31 and 34-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Fox et al. Publication of J. of Brazil Soc. Mechanical Sciences.

Fox teaches the invention as claimed including a method and apparatus for connecting to a host system and generating notifications (see abstract).

As per claim 1, Fox et al. discloses a method, comprising:
accessing a port of a host system by another system to monitor a parameter for a predetermined event related to the host system (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and
escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 2, Fox et al. discloses the method of claim 1, further comprising determining whether the notification is successful (paragraph 7, lines 1-8).

As per claim 3, Fox et al. discloses the method of claim 1, wherein the predetermined event is receipt of a state change of the parameter (paragraph 6, lines 5-8; cpa 9, lines 3-5; paragraph 10).

As per claim 4, Fox et al. discloses the method of claim 1, wherein the predetermined event is exceeding a threshold value set for the parameter (paragraph 9, lines 3-5; paragraph 10).

As per claim 5, Fox et al. discloses the method of claim 1, further comprising generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 6, Fox et al. discloses the method of claim 5, wherein the number of times, the amount of time, and the time period are configurable (setting the amount of times and how often a notification is sent; paragraph 11).

As per claim 7, Fox et al. discloses a method comprising:
monitoring a parameter of a host system for a predetermined event (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

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escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period wherein the parameter is monitored using a satellite system located locally to the host system and wherein the notification is generated remotely from the host system (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and the systems are connected by a satellite; paragraph 1, lines 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8).

As per claim 8, Fox et al. discloses the method of claim 7, further comprising:
receiving data about the predetermined event from a satellite system by a monitoring operations center and wherein the notification is generated by the monitoring operations center (paragraph 3, lines 7-11; paragraph 4, lines 1-8, paragraph 5; paragraph 7, lines 1-8).

As per claim 9, Fox et al. discloses the method of claim 1, further comprising providing a possible cause of the predetermined event occurrence (paragraph 8, paragraph 9, paragraph 12)

As per claim 10, Fox et al. discloses the method of claim 1, where escalation is based on a set of rules (paragraph 7, lines 1-8).

As per claim 11, Fox et al. discloses the method of claim 10, wherein the set of rules is based on a time delay between the notification and the acknowledgement (paragraph 7, lines 1-8).

As per claim 12, Fox et al. discloses the method of claim 10, wherein the set of rules is based on the state change (paragraph 7, lines 1-8).

As per claim 13, Fox et al. discloses the method of claim 10, wherein the set of rules is based on schedules of the first and second persons (paragraph 4, lines 4-7; paragraph 7, lines 1-8; paragraph 15).

As per claim 14, Fox et al. discloses the method of claim 1, wherein the notification is generated and escalated automatically (paragraph 7).

As per claim 15, Fox et al. discloses method, comprising:
monitoring a parameter of a host system for a predetermined event (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);

generating a notification upon the occurrence of the predetermined event to a first person in the hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1); and

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generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 16, Fox et al. discloses the method of claim 1, wherein the parameter is a service of the host system (paragraph 5, lines 3-7; paragraph 6, lines 1-7).

As per claim 17, Fox et al. discloses the method of claim 1, wherein the parameter is a utilization of a component of the host system (paragraph 5, lines 1-7; paragraph 6, lines 1-8).

As per claim 18, Fox et al. discloses the method of claim 17, further comprising:

- monitoring additional parameters of the host system, wherein the additional parameters include a service of the host system (paragraph 5, lines 3-7; paragraph 6, lines 1-7); and

- eliminating a redundant notification based on dependent parameters of the host system; paragraph 11).

As per claim 19, Fox et al. discloses a method comprising:

- monitoring a parameter of a host system for a predetermined event (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);

- generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

- escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1); and

- determining an asset parameter of the host system (Figure 1).

As per claim 20, Fox et al. discloses a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

- accessing a port of a host system by another system to monitor a parameter for a predetermined event related to the host system (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);

- generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

- escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 21, Fox et al. discloses the machine readable medium of claim 20, wherein the predetermined event is receipt of a state change of the parameter (paragraph 6, lines 5-8; cpa 9, lines 3-5; paragraph 10).

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As per claim 22, Fox et al. discloses the machine readable medium of claim 20, wherein the processor further performs generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 23, Fox et al. discloses the machine readable medium of claim 20, wherein the number of times, the amount of time, and the time period are configurable (setting the amount of times and how often a notification is sent; paragraph 11).

As per claim 24, Fox et al. discloses the machine readable medium of claim 20, wherein the processor further performs providing a suggestion as to a cause of the predetermined event occurrence (paragraph 8, paragraph 9, paragraph 12).

As per claim 25, Fox et al. discloses a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:
monitoring a parameter of a host system for a predetermined event generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7; and sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);
and escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period, wherein the processor further performs generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 26, Fox et al. discloses an apparatus, comprising:
event means for accessing a port of a host system by another system to monitor a parameter for a predetermined event (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and
means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 27, Fox et al. discloses the apparatus of claim 26, further comprises means for determining whether the notification is successful (paragraph 7, lines 1-8).

As per claim 28, Fox et al. discloses the apparatus of claims 26, further comprising:
means for generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 29, Fox et al. discloses an apparatus comprising:
means for monitoring a parameter of a host system for a predetermined event

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a means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and
means for generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 30, Fox et al. discloses an apparatus, comprising:
an access portal to interface with a host system and monitor an event for a parameter (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event and generate a first notification (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);
and a notification gateway coupled to the digital processing system to transmit the first notification to a first communication device, the digital processing system to generate a second notification to a second communication device if an acknowledgment is not received within a predetermined time (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 31, Fox et al. discloses the apparatus of claim 30, wherein the notification gateway transmits the second notification to the second communication device (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 32, Fox et al. discloses the apparatus of claim 30, wherein the digital processing system comprises a server (paragraphs 4; paragraph 6, lines 4-8).

As per claim 33, Fox et al. discloses the apparatus of claim 30, further comprising a proxy server coupled to the digital processing system (paragraph 4; paragraph 6, lines 4-8).

As per claim 34, Fox et al. discloses a system, comprising:
a host satellite system coupled to a first network (the systems are connected by a satellite; paragraph 1, lines 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8);
a plurality of communication devices (a network of devices; paragraph 1, lines 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8); and
a monitoring operations center coupled to the first network, the monitoring operations center comprising:
an access portal to interface with a host system and monitor an event for a parameter (accessing a remote system; paragraph 4, lines 1-8, paragraph 5, lines 1-7);
a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event on the first network and generate a first notification (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

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a notification gateway coupled to the digital processing system to transmit the first notification to one of the plurality of communication devices, the digital processing system to generate a second notification to another of the plurality of communication devices if an acknowledgment is not received within a predetermined time (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 35, Fox et al. discloses the system of claim 34, wherein the first notification is transmitted on the first network (paragraph 7, lines 5-8).

As per claim 36, Fox et al. discloses the system of claim 34, further comprising a second network and wherein the first notification is transmitted on the second network (paragraph 7, lines 5-8).

As per claim 37, Fox et al. discloses the system of claim 35, wherein the first network is an internet protocol network and the second network is a telephone network (paragraph 7, lines 1-8).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday-Tuesday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ua



SALEH NAJJAR
PRIMARY EXAMINER